

1401 H Street, N.W.
Suite 1020
Washington, D.C. 20005
Office 202/326-3815



James K. Smith
Director
Federal Relations

July 24, 1996

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, NW
Room 222
Washington, DC 20554

Re: **Ex Parte Statement**
Implementation of the Local Competition Provisions in the
Telecommunications Act of 1996
CC Docket No. 96-98

Dear Mr. Caton:

Pursuant to Commission staff request, Ameritech provided on July 15, 1996 information on access to the Network Interface Device. The attached information is in response to MCI's July 16, 1996 ex parte filing on this subject.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim Smith", written in dark ink.

Attachment

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MCI's July 16, 1996, ex parte purports to dispute Ameritech's showing that access to the unbundled network interface device (NID) is neither necessary nor possible without creating a serious and unacceptable safety hazard. MCI alleges that Ameritech's claims in this regard are "bald" and false.

In fact, it is MCI whose claims are unsubstantiated and incorrect. For example, in its July 15 ex parte, Ameritech explained that alternative providers, such as MCI, may access customer premises wire without unbundled access to the existing NID. Ameritech attached four diagrams depicting such arrangements and noted that each of these arrangements are available today. In asserting that unbundling of the NID is necessary to facilitate facility-based competition, MCI completely ignores these arrangements and the fact that they are today widely used by other providers. Its sole claim is that "[i]f MCI did not need access to the NID in order to connect to existing inside wire it would not ask for the NID as an unbundled element." Ameritech submits that, regardless of MCI's motives or perceived need, the facts demonstrate that unbundled access to the NID is not at all necessary in order for carriers to access inside wire.

MCI also maintains that unbundled access to NIDs may be necessary because of space limitations that could preclude installation of additional NIDs. This claim is ludicrous for two reasons. A NID used for multiple dwelling units is generally no more than about 24 square inches in surface area. Ameritech has encountered no situation in which there was inadequate space for multiple NIDs. Second, even assuming (falsely) that NIDs do not include overvoltage protection functionality, as MCI claims, MCI would have to install a voltage protection device anytime it accessed an existing NID. In the highly unlikely event that there was no room for a second NID, there would likewise be no room for such a voltage protection device. Indeed, given that MCI would have to install its own voltage protection device, it would make no sense for MCI not to install a NID, because a NID would provide MCI with its own demarcation point.

MCI also disputes Ameritech's assertion that unbundling the NID could create a serious safety hazard. Citing certain Bellcore technical references, MCI maintains that the functions of an indoor NID do not include voltage protection. The technical references cited by MCI, however, by their own terms merely provide guidance to manufacturers as to the minimum functionalities of a NID. They do not purport to describe all of the functionalities that a manufacturer may choose to incorporate in a NID, and they do not describe the NIDs Ameritech uses in its network. In fact, Ameritech's NIDs are integrated units offering overvoltage protection and a demarcation point. These two functions of the NID are not severable; one cannot be made available without the other. Thus, in order to provide access to an existing NID, Ameritech would have to disconnect its own loop from the NID, leaving that loop without the overvoltage protection the NID provides. As Ameritech explained in its July 15 ex parte, that would present an unacceptable safety hazard and is therefore not technically feasible.

Ameritech is more than willing to provide access to inside wire through any of the four alternatives being used today to provide such access. In addition, Ameritech will negotiate any bona fide request for a different form of access to inside wire in multiple dwelling units. As ICI acknowledges in its ex parte, "depending on the equipment used and the configuration of the ILEC and CLEC networks, the type of interconnection that is technically feasible within the meaning of section 251(c)(3) of the 1996 Act will change considerably, and the Commission's interconnection rules must be sufficiently broad to accommodate a variety of appropriate interconnection arrangements." The bonafide request process is more appropriate than a blanket rule to address any customer or building-specific circumstance not covered by the four configurations described in Ameritech's July 15 ex parte.